

**DRAFT MINUTES OF THE CITY COUNCIL MEETING
FOR THE CITY OF HAYDEN, KOOTENAI COUNTY, IDAHO**

Tuesday, May 27, 2025

Regular Meeting: 5:00 PM

Hayden City Hall Council Chambers, 8930 N. Government Way, Hayden, ID 83835

CALL TO ORDER

The meeting was called to order at 5:02 PM.

ROLL CALL OF COUNCIL MEMBERS

Present: Ed DePriest, Matthew Roetter, Tom Shafer, Sandra White.

PLEDGE OF ALLEGIANCE

Mayor Davis asked City Clerk Abbi Sanchez to lead the pledge of allegiance.

ADDITIONS OR CORRECTIONS

MOTION: Council President Roetter motioned to approve the amended agenda adding the Hayden Canyon Park Final Design to the agenda as item 6A. Council Member DePriest provided the second.

1. PRESENTATION

A. Historic Preservation Commission

Members from the Historic Preservation Commission acknowledged May as National Preservation Month and emphasized the importance of preserving historic places to maintain community identity and guide future development. They highlighted the Stoddard Farm, purchased by the City of Hayden in 2005, as a prime example of preservation done right, noting its maintained agricultural character and community value. In recognition of these efforts, the Commission presented the City of Hayden with its first-ever Historic Preservation Award for excellence in preserving the Stoddard Farm property.

2. CONSENT CALENDAR *All items on the Consent Calendar are Action Items*

- A. Approval of May 13, 2025 Special City Council Meeting Minutes
- B. Approval of May 13, 2025 City Council Meeting Minutes
- C. Approval of GET NW LLC Purchase and Sale Agreement
- D. Approval of Redwood Haven Townhome Plat
- E. Approval of 2025 Hayden Days Entertainment Agreement with Jim Lien/Rhythm Dawgs
- F. Approval of 2025 Hayden Days Entertainment Agreement w-Ruby Frog Entertainment for DJ Services
- G. Approval of Termination of American Universal Storage, LLC Deferred Annexation Agreement
- H. Approval of Bills for Payment

MOTION: Council Member Shafer motioned to approve the consent calendar as read. Council Member DePriest provided the second.

ROLL CALL VOTE:

Council President Roetter	Yes
Council Member White	Yes
Council Member DePriest	Yes

The motion was approved by a unanimous vote in favor.

3. VISITOR/PUBLIC COMMENT (3-minutes maximum)

Francine Archambault, Hayden Resident, expressed concerns about an aspen tree planted by her adjacent neighbor. She stated that the tree's invasive roots are causing damage to her yard, similar to issues she's experienced with other neighboring trees. She noted that removing the roots is costly and difficult. Francine also mentioned that, according to a local nursery, aspen trees should only be planted on properties of five acres or more due to their invasive nature. She emphasized the lack of city code addressing such issues and the impact on surrounding properties. City staff confirmed they would follow up with her.

Rachelle Ottoson, Rathdrum resident, voiced concerns about the use of taxpayer money to fund art through the Arts Commission, particularly for events like the Family Fall Fest. She stated this practice violates free market principles and the proper role of government. She criticized the influence of unelected officials in allocating public funds and questioned their accountability. Ms. Ottoson also expressed concern that such commissions could promote controversial or inappropriate themes under the guise of inclusivity and family-friendliness. She suggested that, if the Arts Commission remains in place, the City Council should approve all event vendors to ensure appropriate content.

4. COMMISSION REPORT

A. Parks, Recreation and Community Forestry Commission

Malea Sampsel, Parks, Recreation and Community Forestry Commission Chair, provided an update on recent activities. The commission is now at six members, its most active in years, with four new, highly engaged members. Recent events included a successful Kite Festival at Broadmoore Park and a well-attended Arbor Day celebration involving around 500 elementary students and numerous volunteers. The commission is planning a workshop to clarify goals and priorities and will be forming subcommittees to support specific projects. A key ongoing focus is the need for public pickleball courts. Upcoming events include Dog Days of Summer on June 21 (with vendor spots still open) and the Bike Rodeo on June 25, in collaboration with local partners. Malia noted that a written quarterly report will follow, and she'll return with another update in about six months.

B. Planning and Zoning Commission

Shawn Taylor, Commission Chair, gave an update on recent activities. He was re-elected as chair at the beginning of the year, and Mary Howard was re-elected as vice chair before stepping down due to relocating. Keith Gibson, the second-longest serving commissioner, has taken over as vice chair. The commission currently has five members, which helps avoid tie votes. Since January, two conditional use permits have been approved, one for a light industrial manufacturing business and one for a dog kennel, both in Warren K. The commission continues to work on updates to the comprehensive plan. Mr. Taylor also noted a positive trend of developers voluntarily addressing traffic infrastructure needs in advance of impact fees, which helps mitigate traffic issues sooner and saves the city money through public-private collaboration.

5. PUBLIC HEARING (Public Testimony will be received for these items)

A. ACTION ITEM Area of Impact Amendment Request

After reading the city initiated public hearing procedures, Mayor Davis opened the hearing at 5:20 p.m.

STAFF: City Administrator Lisa Ailport presented an overview regarding updates to Hayden's Area of City Impact (ACI), prompted by changes to Idaho state law in 2024. The revised legislation requires

all cities to renegotiate ACI agreements with their counties, clarifying that county regulations now take precedence in these areas and prohibiting overlapping ACIs between cities.

Ms. Ailport explained that the Planning and Zoning Commission held a public hearing on May 5, 2025, and recommended the proposed Area of Impact (AI) updates to the City Council. The new law emphasizes that projected city growth must be realistically anticipated within a five-year period. In coordination with neighboring cities, including Rathdrum, Post Falls, Dalton Gardens, and Hayden Lake, new boundaries were identified based on logical future growth and utility service areas.

Key changes include removing an area in the southeast, currently served by Hayden Lake's sewer system, as it is unlikely to be incorporated into Hayden. The western boundary was adjusted based on expected development within five years. The City Council was asked to approve the updated AI proposal so staff can move forward with negotiations with the Kootenai County Commissioners, with a goal to finalize the agreement by year-end.

QUESTIONS: Council members asked clarifying questions about the process and implications of the Area of Impact (AI) update:

- Who Participated in the Process – It was confirmed that the planning effort involved administrative staff and city attorneys from Hayden and surrounding cities. The goal was to align on realistic growth boundaries within five years, focusing on infrastructure investments and avoiding overlapping AIs.
- Purpose and Impact of Including the Airport – Council asked why the airport was included in the AI. Staff explained that, though annexation is not currently planned, it logically falls within Hayden's AI because it's fully surrounded by the city.
- Shared Tier Elimination and City Boundaries – Council inquired whether all shared tier areas were resolved and whether there are any remaining boundary disputes. Staff responded that while most cities have finalized their boundaries, one unresolved parcel remains between Rathdrum and Post Falls.
- Annexation Confusion – Council expressed concern that the public might confuse the AI process with annexation. Staff clarified that the two are separate: forced annexations are now virtually eliminated under updated Idaho law, and annexations must be consent-based, except in very limited cases like county enclaves of 30 or fewer parcels.
- County's Role – A council member asked whether the county has influence over the final AI map. Staff confirmed the county must approve it but is likely to support the cities' proposals if there are no overlapping claims, as the cities are actively cooperating to resolve potential conflicts before submission.

Overall, the discussion emphasized collaboration among cities, the narrowed scope for annexation, and the importance of aligning with state law to meet the 2025 deadline.

PUBLIC COMMENT:

For: None

Neutral: Art Collins, Hayden resident, expressed concerns and confusion about the proposed Area of Impact (AI) changes, emphasizing that the information provided—particularly a 45-page document and two maps—was difficult for the public to interpret. He asked for clarification on whether only two areas were being changed and why one specific area was being removed from the existing AI. He questioned whether residents of that area were consulted.

Art recommended that the city provide a more user-friendly AI map showing:

- City limits
- Pertinent roads and landmarks
- Clear land use categories (commercial, residential, industrial, agricultural)

He stressed that maps should not rely on zoning or vague categories like “mixed use” but instead clearly define future land uses. His main concern was ensuring the public can easily understand where and how Hayden plans to grow so they can participate meaningfully if they disagree.

Against: Robert Balser, non-Hayden resident, a longtime resident of the Hayden area since 1942, spoke in opposition to the proposed Area of Impact (AI) amendment. He expressed frustration with the process and lack of clear answers during the meeting, particularly regarding questions raised by a previous speaker (Art) that went unaddressed.

Mr. Balser voiced concerns about the city's intentions, questioning why such a large area was being proposed and whether this action contradicts past city commitments to prioritize development within existing boundaries before expanding outward. He also raised issues regarding landowner consent, particularly whether properties of 10 acres or more can be annexed without the owner's agreement.

He felt the meeting offered little clarity or opportunity for public understanding, expressing that it was difficult for community members, especially seniors like himself, to follow the complexities of the process. Ultimately, he urged city leaders to consider the concerns and perspectives of the residents who may be affected by future changes to the city's boundaries.

Mayor Davis closed the hearing at 5:47 p.m.

COUNCIL DELIBERATIONS: The council discussed concerns from the public about the amendment being perceived as a “land grab” or forced annexation. They clarified that the amendment is a state-required planning process, not an effort to forcibly annex properties. The purpose is to create a buffer zone around the city to prevent neighboring cities from annexing nearby lands first, helping maintain future control over growth.

Annexation can only happen if landowners request it, and the city would then guide land use and zoning. Developed neighborhoods with existing infrastructure were excluded from the area of impact to avoid unnecessary maintenance responsibilities.

The amendment includes updating a future land use map (not zoning) to identify potential land uses if owners decide to annex later. Areas without infrastructure or strategic importance were removed from the proposal.

The minimum acreage for annexation with owner consent is generally five acres for agricultural land. Recent state law changes further protect landowners by prohibiting forced annexations. Overall, the amendment is seen as a necessary planning tool to comply with state law, manage growth thoughtfully, protect infrastructure investments, and respect property owners' rights. The council expressed frustration over misinformation causing public confusion and emphasized their commitment to transparency and resident engagement.

MOTION: Council Member DePriest motioned to approve the amendment to the area of impact boundary as presented and map based upon testimony received at the city council public hearing and the planning and zoning commission recommendation in the record of the request. Council President Roetter provided the second.

ROLL CALL VOTE:

Council President Roetter	Yes
Council Member White	Yes
Council Member DePriest	Yes
Council Member Shafer	Yes

The motion was approved by a unanimous vote in favor.

6. UNFINISHED BUSINESS

A. Hayden Canyon Park Concept Plan Presentation by Bernardo Wills

The design team, including Bernardo Wills representatives Dell Hatch and James Davis, and Welch Comer representative Melissa Cleveland, presented updates on the 18-acre Hayden Canyon Community Park. A city-established steering committee created a mission statement and project goals, completed site analysis, and reviewed the park plan aligned with the 2040 Parks Master Plan.

The final master plan and phasing options were reviewed, with Phase 1 estimated at \$5.9 million and total future phases costing about \$12.9 million in today's dollars.

Key points from the discussion included:

- Shared parking with Hayden Canyon School was not planned.
- Fencing will be installed around courts and the school with access points for school use, accounting for rugged terrain.
- Traditional bocce ball courts were planned.
- Liability concerns for a BMX bike track would be managed through signage and notices.
- Development costs are expected to be shared between the city and Hayden Canyon developers, following the Parks Master Plan.
- Maintenance will require dedicated staff and equipment and should be planned for accordingly.
- The park will remain open to the public and is not intended for exclusive or reserved use by the Hayden Canyon Charter School.

7. NEW BUSINESS

A. **ACTION ITEM** PZE-24-0130 Hayden Sky (Phase I) Preliminary Plat Request

The council discussed the Hayden Sky Phase 1 preliminary plat. It was emphasized that the record for the subject case is closed, and that no new information could be introduced. Council Members agreed no further presentations were needed. Key concerns focused on the traffic impact analysis and required mitigation for road and intersection improvements, specifically at Hayden, Huetter, Carrington, and Downing. It was clarified that a traffic impact mitigation agreement, outlining these improvements and financial responsibilities, must be finalized and approved before construction begins. The agreement aims to ensure taxpayers only pay their fair share, with the developer retaining appeal rights if disagreements arise. While an extraordinary impact letter addressing additional traffic impacts is not part of the official record, it informs the mitigation negotiations. Ultimately, the council stressed the importance of clear, enforceable agreements on traffic mitigation to be reviewed before any construction approval is granted.

MOTION: Council Member Shafer motioned to approve PZE-24-0130 Hayden Sky (Phase 1) Preliminary Plat with staff recommended conditions of approval. Finding that it is in accord with the standards of Hayden City Code based on Planning and Zoning Commission hearing and record of the request. Council Member DePriest provided the second.

ROLL CALL VOTE:

Council President Roetter	Yes
Council Member White	No

Council Member DePriest	Yes
Council Member Shafer	Yes

The motion was approved by a majority vote in favor.

B. ACTION ITEM J2022-0720 Booterbaugh Estates Minor Subdivision Request for Extension of Preliminary Plat

The council considered a one-year extension request for a previously approved preliminary plat. The applicant cited delays due to issues obtaining construction equipment. Council discussed that since no city codes had changed since the original approval, granting the extension would simplify the process and benefit staff by avoiding a reapplication. Staff confirmed that, under city code, developers may request annual extensions for good cause, provided they apply before the plat expires. If extensions are requested after expiration or codes change, staff may recommend denial. Council clarified that these extensions could continue annually as long as the applicant remains in compliance and submits requests on time.

MOTION: Council Member White motioned to approve the J2022-0720 Booterbaugh Estates minor subdivision extension of preliminary plat approval requested for one year based upon testimony received at the city council meeting and the record of the request. Council Member Shafer provided the second.

C. ACTION ITEM Arts Commission Community Event Request

The council discussed a request from the Arts Commission to host a new city-sponsored event, the 2025 Family Fall Fest in the Park, which includes a German theme and a beer and wine garden. Approval was needed both to move forward with the event planning and to allow alcohol to be served in a city park. Questions were raised about ensuring the event remains family-friendly by keeping alcohol consumption confined to a fenced beer garden, in compliance with applicable alcohol regulations

Concerns were voiced about the lack of existing procedures for commission-led events of this scale, the workload impact on city staff, and the absence of details regarding vendor management, volunteer coordination, and revenue sharing, particularly a potential partnership with the Coeur d'Alene Art Association. Staff acknowledged these concerns, confirming that there would be some staff lift involved and emphasized that this event could serve as a pilot to inform future protocols for similar events.

Council and staff agreed that approving the concept would not commit the city to every detail and that any future revenue-sharing agreements or logistics would return to council for further review. The event was viewed as a positive addition to Hayden's offerings and a potential model for future fall festivals, pending successful execution and further planning.

MOTION: Council Member Shafer motioned to approve the 2025 Family Fall Fest event and to serve alcohol in the park during the event. Council Member DePriest provided the second.

ROLL CALL VOTE:	
Council President Roetter	Yes
Council Member White	No
Council Member DePriest	Yes
Council Member Shafer	Yes

The motion was approved by a majority vote in favor.

D. ACTION ITEM Arts Commission Request to Apply for T-Mobile Hometown Grant

The council considered a request from the Arts Commission to apply for a \$50,000 T-Mobile grant aimed at funding community-focused placemaking projects. The current agenda item was limited to authorizing the application process, not selecting or approving any specific project or artwork.

Council members asked about the readiness of a proposed project and whether it met the grant's requirement to be "shovel ready" and completed within 12 months. Staff clarified that while the project concept was presented previously, the art selection process would still need to occur and any final decisions would come back to council for approval.

Questions were also raised about public input and whether future art proposals could include opportunities for community feedback, such as public displays. Staff acknowledged that possibility but reiterated that the immediate decision was only about applying for the grant—not approving any specific art or installation.

MOTION: Council President Roetter motioned to approve the T-Mobile Hometown Grant application request. Council Member DePriest provided the second.

ROLL CALL VOTE:

Council President Roetter	Yes
Council Member White	Yes
Council Member DePriest	Yes
Council Member Shafer	Yes

The motion was approved by a unanimous vote in favor.

8. REPORTS

A. City Administrator Report and Calendar Review

A joint workshop with the City Council and Planning & Zoning Commission is scheduled for Monday, June 30 at 5:30 PM.

Hayden is experiencing its busiest construction season, with major projects like the Ramsey Road Extension, force main, gravity sewer main, and lift station all on track. The force main project is expected to finish by December 1. Lancaster Road will close for seven weeks starting tomorrow for roundabout construction, with posted detours. The closure will save time and reduce project costs.

The next FY26 budget workshop is Thursday at 1 PM, aiming to balance the general fund. Some figures, such as health insurance and construction values, are still pending. The FY23 audit is in progress and may be presented at the second June meeting, as key staff will be unavailable for the first.

A sign with a QR code has been installed on the city property for sale, linking to online details. Nearby property owners are also being notified by mail.

Lastly, Hayden was chosen by the Blue Cross Foundation as a Community Health Champion. A small team will participate in a health-focused program, with a \$20,000 grant available upon completion for a community project that supports health. Lisa also recognized staff for hosting successful Arbor Day and Veterans events.

B. Law Enforcement

None

C. Mayor/Council

Council members discussed a concern related to traffic and access issues at a busy intersection, with staff agreeing to review the matter and provide follow-up. It was noted the location falls within existing planning efforts and may be eligible for additional support through urban renewal.

Additionally, Council President Roetter shared a personal apology for missing a recent joint meeting due to family obligations, including upcoming memorial services. The rest of the council expressed understanding and support. No other future agenda item requests were made.

Mayor Davis took a 5-minute recess at 7:18 p.m.
Mayor Davis called the meeting back to order at 7:23 p.m.

9. REQUEST FOR FUTURE AGENDA ITEMS

10. EXECUTIVE SESSION **ACTION ITEM** *(Action will be taken to enter and exit Executive Session. No action will be taken during the Executive Session)*

- A. Idaho Code 74-206(1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent
- B. Idaho Code 74-206(1)(c) To acquire an interest in real property which is not owned by a public agency

MOTION: Council President Roetter motioned that the meeting enter executive session. Council Member DePriest provided the second.

ROLL CALL VOTE:	
Council Member White	Yes
Council Member Shafer	Yes
Council Member DePriest	Yes
Council President Roetter	Yes

The motion was approved by a unanimous vote in favor and the meeting entered executive session at 7:23 p.m.

Council Member DePriest motioned that the meeting return to regular session. Council Member Shafer provided the second.

ROLL CALL VOTE:	
Council President Roetter	Yes
Council Member White	Yes
Council Member Shafer	Yes
Council Member DePriest	Yes

The motion was approved by a unanimous vote in favor and the meeting returned to regular session at 8:10 p.m.

11. ADJOURNMENT

The meeting was adjourned at 8:10 p.m.

Abbi Sanchez, City Clerk

Alan Davis, Mayor